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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 20

Application Number: 09/450,261
Filing Date: November 29, 1999
Appellant(s): STANLEY, RANDY P.

Sanjeev K. Singh
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/23/2004.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is substantially correct. The changes are as follows: Replace issue B with -- B. Is Claim 2 Rendered Obvious Over the Narurkar Reference and Padwick Reference in view of the Kanevsky Reference? --

(7) Grouping of Claims

The appellant's statement of the grouping of the claims in the brief is correct.

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

Narurkar et al., U.S. Patent Number 6,339,795, issued on January 15, 2002, but filed on January 13, 1999 (hereinafter Narurkar).

Kanevsky et al., US Patent Number 6,496,949, issued on December 17, 2002, but filed on August 6, 1999 (hereinafter Kanevsky).

Tsukakoshi et al., U.S. Patent Number 5,926,623, issued on July 20, 1999, but filed on January 2, 1997 (hereinafter Tsukakoshi).

Vong et al., U.S. Patent Number 6,209,011, issued on March 27, 2001, but filed on May 8, 1997 (hereinafter Vong).

Padwick, Gordon. "Using Microsoft Outlook 98" QUE, 1998, pp 40-44, 453-541 (hereinafter Outlook 98)

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 3, 7-8, 10 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narurkar in view of Outlook.

As per claims 1 and 8, Narurkar taught the invention substantially as claimed including a method comprising automatically transferring time sensitive data (title, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44) from a storage coupled to a first processor-based system (col.6, lines 55-67, col.7, lines 1-10) to a storage coupled to a second processor-base system (col.7, lines 11-23).

Narurkar did not specifically teach to automatically display time sensitive data on a display coupled to second processor-based system at a predetermined time. However, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program. Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to automatically sound or automatically pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Outlook 98 taught to provide reminders for the scheduled events (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 because Outlook 98's teaching of using reminders to automatically display data helps to remind the users of the scheduled events such as meeting or anniversaries. Furthermore, the use of Outlook is expressly suggested by Narurkar (col.9, lines 37-45).

As per claim 15, Narurkar taught the invention substantially as claimed including a processor-based system comprising, comprising a processor (28, fig.2), a first storage storing a personal information manager application (52, fig.2, col.6, lines 35-40, col.7, lines 16-18), and a second storage storing software including instructions (51, fig.2, col.7, lines 11-16) that causes the processor to automatically transfer time sensitive data to another processor-based device (title, 22, fig.2, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44).

Narurkar did not specifically teach to automatically display the time sensitive data at a predetermined time. However, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program. Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to automatically sound or automatically pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Outlook 98 taught to provide reminders for the scheduled events (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 because Outlook 98's teaching of using reminders to automatically display data helps to remind the users of the scheduled events such as meeting or anniversaries. Furthermore, the use of Outlook is expressly suggested by Narurkar (col.9, lines 37-45).

As per claims 3 and 10, Narurkar and Outlook 98 taught the invention substantially as claimed in claims 1 and 8. Narurkar further taught to automatically transfer personal information manger information (col.6, lines 30-40).

As per claims 7 and 14, Narurkar and Outlook 98 taught the invention substantially as claimed in claims 1 and 8. Outlook 98 further taught to automatically display a portion of a calendar graphical user interface (pages 42, 44, 455, 540).

As per claim 16, Narurkar and Outlook 98 taught the invention substantially as claimed in claim 15. Narurkar further taught to include a link on system to device (26, fig.2, col.6, lines 26-29).

As per claim 17, Narurkar and Outlook 98 taught the invention substantially as claimed in claim 16. Narurkar further taught that the system is a portable computer that includes device (fig.1-3, col.6, lines 26-39).

As per claim 18, Narurkar and Outlook 98 taught the invention substantially as claimed in claim 17. Narurkar further teach a housing for computer and the display of the device being located on the outside of housing (fig.1).

Claims 2, 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narurkar and Outlook 98, as applied to claims 1, 8 and 15 above, and further in view of Kanevsky.

As per claims 2, 9 and 20, Narurkar and Outlook 98 taught the invention substantially as claimed in claims 1, 8 and 15 including that the time sensitive data is automatically transferred from the storage coupled to the first processor-based system (title, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44). Narurkar and Outlook 98 did not specifically teach that the time sensitive data is automatically transferred when it is determined that the first processor-based system is being powered off. However, it is well known in the art to save files as back ups in a

remote hard drive before a processor-based system such as a web server is shut down for repair or update. Kanevsky taught to automatically backup the data when it is determined that the first processor-based system is being powered off (col.1, lines 12-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar, Outlook 98 and Kanevsky because Kanevsky's teaching of data backup when the first processor-based is determined to be powered off helps to prevent the data from being lost.

Claims 4-5 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narurkar and Outlook 98, as applied to claims 1, 3, 6-8, 10 and 13-19 above, and further in view of Vong.

As per claims 4 and 11, Narurkar and Outlook 98 taught the invention substantially as claimed in claims 3 and 10 including automatically transferring personal information manger information. However, they did not specifically teach that the personal information manger information includes timed alerts. Vong taught about portable devices containing PIM that include timed alert notification functions (figs.5 and 7, col.1, lines 37-40, col.2, lines 26-31, col.3, lines 60-65, col.14, lines 3-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar, Outlook 98 and Vong because Vong's timed alert provides notifications for Narurkar and Outlook 98's system using lights or sounds to remind users of scheduled events.

As per claims 5 and 12, Narurkar and Outlook 98 taught the invention substantially as claimed in claims 1 and 8. Narurkar and Outlook 98 did not specifically teach to include an audible alert at a predetermined time. However, Vong taught portable computing devices

containing PIM to automatically provide audible alert at a predetermined time (col.1, lines 37-40, col.2, lines 45-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar, Outlook 98 and Vong because Vong's audible alert provides notifications for Narurkar and Outlook 98's system using sounds to remind users of a scheduled event.

Claims 6, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narurkar and Outlook 98, as applied to claims 1, 3, 6-8, 10 and 13-19 above, and further in view of Tsukakoshi.

As per claims 6, 13 and 19, Narurkar and Outlook 98 taught the invention substantially as claimed in claims 1, 8 and 15. They did not specifically teach to provide real time clock information from first processor-based system to second processor-based system. However, Tsukakoshi taught to provide real time clock information from first processor-based system to second processor-based system (col.6, lines 11-18, col.10, lines 48-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar, Outlook 98 and Tsukakoshi because Tsukakoshi's teaching of enables the two processor-based system to share the clock information so to provide synchronization in time for the time sensitive data.

(11) Response to Argument

The examiner summarizes the various points raised by the appellant and addresses replies individually.

to a first processor-based system (col.6, lines 55-67, col.7, lines 1-10) to a storage coupled to a second processor-base system (col.7, lines 11-23).

Narurkar did not specifically teach to automatically display time sensitive data on a display coupled to second processor-based system at a predetermined time. However, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program. Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to automatically sound or automatically pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Outlook 98 taught to provide reminders for the scheduled events (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 because Outlook 98's teaching of using reminders to automatically display data helps to remind the users of the scheduled events such as meeting or anniversaries. Furthermore, the use of Outlook is expressly suggested by Narurkar (col.9, lines 37-45).

(2) Narurkar does not teach to automatically display time sensitive data which is automatically transferred. No automatic display at a predetermined time on a display coupled to the second processor-based system (see pages 11-13 of the brief).

In Reply to argument (2): Narurkar taught to automatically transfer program data that includes time sensitive data such as a reminder from one storage to another storage (title, col.3,

As per appellant's argued that:

(1) The rejection fails to show where Narurkar teaches or suggests automatic displaying of time sensitive data on a display coupled to the second processor-based system at a predetermined time where the time sensitive data is automatically transferred for automatic display. Outlook 98 reference does not teach interacting with another processor-based system from which the time sensitive data has to be automatically transferred to a processor-based system on which the Outlook software does not execute. Therefore, the combination of automatic transfer and automatic display of time sensitive data from one storage to another storage is not taught or even suggested by the Narurkar and Outlook 98 references (see pages 11-13 of the brief).

In Reply to argument (1): Narurkar taught to automatically transfer program data that includes time sensitive data such as a reminder from one storage to another storage (title, col.3, lines 49-55, col.5, lines 6-9, col.6, lines 55-67, col.7, lines 1-23, col.9, lines 36-44). Narurkar did not specifically teach that the transferred data is automatically displayed. However, Outlook 98 taught that time sensitive data such as a scheduled reminder can be automatically displayed at a predetermined time (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 because Narurkar taught to automatically transfer time sensitive programs and Outlook 98 taught that the time sensitive programs can be automatically displayed as an event reminder to help remind the users of the scheduled events such as meetings or anniversaries. Narurkar taught the invention substantially as claimed including a method comprising automatically transferring time sensitive data (title, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44) from a storage coupled

lines 49-55, col.5, lines 6-9, col.6, lines 55-67, col.7, lines 1-23, col.9, lines 36-44). Narurkar did not specifically teach that the transferred data is automatically displayed. However, Outlook 98 taught that time sensitive data such as a scheduled reminder can be automatically displayed at a predetermined time (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 because Narurkar taught to automatically transfer time sensitive programs and Outlook 98 taught that the time sensitive programs can be automatically displayed as an event reminder to help remind the users of the scheduled events such as meetings or anniversaries. See final rejection paragraphs 5-6. Narurkar taught the invention substantially as claimed including a method comprising automatically transferring time sensitive data (title, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44) from a storage coupled to a first processor-based system (col.6, lines 55-67, col.7, lines 1-10) to a storage coupled to a second processor-base system (col.7, lines 11-23).

Narurkar did not specifically teach to automatically display time sensitive data on a display coupled to second processor-based system at a predetermined time. However, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program. Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to automatically sound or automatically pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Outlook 98 taught to provide reminders for the scheduled events (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Narurkar and Outlook 98 because Outlook 98's teaching of using reminders to automatically display data helps to remind the users of the scheduled events such as meeting or anniversaries. Furthermore, the use of Outlook is expressly suggested by Narurkar (col.9, lines 37-45).

(3) No specific citation or reference is provided to indicate such teaching of automatically displaying the time sensitive data where the examiner reasons that it is well known (see page 12 of the brief).

In Reply to argument (3): Although the examiner indicated that automatically displaying time sensitive data on a display is well known in the art, the Examiner cited Outlook 98 reference to support the assertion. Narurkar taught the invention substantially as claimed including a method comprising automatically transferring time sensitive data (title, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44) from a storage coupled to a first processor-based system (col.6, lines 55-67, col.7, lines 1-10) to a storage coupled to a second processor-base system (col.7, lines 11-23).

Narurkar did not specifically teach to automatically display time sensitive data on a display coupled to second processor-based system at a predetermined time. However, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program. Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to automatically sound or

automatically pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Outlook 98 taught to provide reminders for the scheduled events (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 because Outlook 98's teaching of using reminders to automatically display data helps to remind the users of the scheduled events such as meeting or anniversaries. Furthermore, the use of Outlook is expressly suggested by Narurkar (col.9, lines 37-45).

(4) Outlook 98 does not teach that the time sensitive data from one process-based system to another processor-based system is first transferred and later at a predetermined time displayed automatically (see pages 13-14 of the brief).

In Replay to argument (4): Outlook 98 taught that time sensitive data such as a scheduled reminder can be automatically displayed at a predetermined time (pages 44, 455, 540). Outlook 98 does not teach that the time sensitive data is first automatically transferred. However, Narurkar taught to automatically transfer time sensitive data from one processor-based system to another (title, col.3, lines 49-55, col.5, lines 6-9, col.6, lines 55-67, col.7, lines 1-23, col.9, lines 36-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 to have Narurkar's system to automatically transfer the time sensitive data and automatically display the time sensitive data to help remind the users of the scheduled events such as meetings or anniversaries according to the teachings of Outlook 98. Furthermore, the use of Outlook is expressly suggested by Narurkar (col.9, lines 37-45). Narurkar taught the invention substantially as

claimed including a method comprising automatically transferring time sensitive data (title, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44) from a storage coupled to a first processor-based system (col.6, lines 55-67, col.7, lines 1-10) to a storage coupled to a second processor-base system (col.7, lines 11-23).

Narurkar did not specifically teach to automatically display time sensitive data on a display coupled to second processor-based system at a predetermined time. However, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program. Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to automatically sound or automatically pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Outlook 98 taught to provide reminders for the scheduled events (pages 44, 455, 540). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Outlook 98 because Outlook 98's teaching of using reminders to automatically display data helps to remind the users of the scheduled events such as meeting or anniversaries. Furthermore, the use of Outlook is expressly suggested by Narurkar (col.9, lines 37-45).

(5) The combination of Narurkar, Outlook 98 and Kanevsky fail to teach that when it is determined that the first processor-based system is powered off, automatic transfer of the time sensitive data from its associated storage to the second processor-based system's storage occurs

for automatic display at a predetermined time on a display that is coupled to the second processor-based system (see pages 14-15 of the brief).

In Replay to argument (5): Narurkar taught to automatically transfer program data that includes time sensitive data such reminder from one storage to another storage (title, col.3, lines 49-55, col.5, lines 6-9, col.6, lines 55-67, col.7, lines 1-23, col.9, lines 36-44) and Outlook 98 taught that the time sensitive data can be set to automatically display at a predetermined time (pages 44, 455, 540). Narurkar and Outlook 98 did not specifically teach that the automatically transferring is triggered when it is determined that the first processor-based system is being powered off. However, Kanevsky taught to trigger data transferring when the system is determined to power off (col.1, lines 12-24, col.3, lines 20-26, 37-43, col.4, lines 55-60, col.5, lines 30-35, col.6, lines 5-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Narurkar, Outlook 98 and Kanevsky to automatically transfer and automatically display time sensitive data when it is determined that the first processor-based system is being powered off since Kanevsky taught to trigger data transferring when the processor-based system is being powered off. Furthermore, it would have been obvious to one of ordinary skill in the time the invention was made to combine the teachings of Narurkar, Outlook 98 and Kanevsky and to automatically transfer the time sensitive data from one storage to another storage of another processor-based system since Narurkar teaches to automatically transfer program data that includes time sensitive data such reminder from one processor's storage to another processor's storage (title, col.3, lines 49-55, col.5, lines 6-9, col.6, lines 55-67, col.7, lines 1-23, col.9, lines 36-44).

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

ksl
March 18, 2004

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